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Paper No. 14

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**DEC 09 2004**

In re Application of  
Donald G. Munroe, et al.  
Application No. 09/331,127  
Filed: October 19, 1999  
Attorney Docket No. 016777-0344

**OFFICE OF PETITIONS**  
**ON PETITION**

This is a decision on the petition, filed September 22, 2004, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosure mailed August 7, 2000, which set a period for reply of one-month. No extension of time under the provisions of 37 CFR 1.136(a) was obtained. On March 2, 2001, a Notice of Abandonment was mailed.

The petition is found to comply with the requirements of the 37 CFR 1.137(b). Accordingly, the application is being returned Technology Center Art Unit 1646 for consideration of the response filed September 22, 2004.

The petition also requests that Exhibits C and D be expunged from the records of the above-identified application and returned to petitioner herein.

As Exhibits C and D were not relied upon as a basis for deciding the petition under the unintentional provisions of 37 CFR 1.137(b), it is deemed appropriate here to return these exhibits to petitioner. Accordingly, Exhibits C and D are enclosed.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

Enclosure: Exhibits C and D